

Notice
Of
Rulemaking Hearing

Department of Environment and Conservation
Division of Water Pollution Control

Oil and Gas Program

There will be a public rulemaking hearing before the Tennessee Department of Environment and Conservation, Division of Water Pollution Control, acting on behalf of the State Oil and Gas Board, to consider the adoption and promulgation of rules pursuant to the Uniform Administrative Procedures Act, Tennessee Code Annotated, Section 4-5-201 et seq., Sections 60-1-202 and 60-1-204 of the Oil and Gas Act, and the Tennessee Environmental Protection Fund Act, Section 68-203-101 et seq. The hearing will be conducted in the manner prescribed by the Uniform Administrative Procedures Act, Tennessee Code Annotated, Section 4-5-204, and will take place at the following location and time:

Thursday, January 17, 2008 at 6:00 p.m. EST
Knoxville Environmental Field Office
3711 Middlebrook Pike
Knoxville, TN 37921-5602
(865)594-6035/1-888-891-8332

Individuals with disabilities who wish to participate in these proceedings (or to review these filings) should contact the Tennessee Department of Environment and Conservation to discuss any auxiliary aids or services needed to facilitate such participation. Such contact may be in person, by writing, telephone, or other means and should be made no less than ten days prior to January 17, 2008 (or the date such party intends to review such filings) to allow time to provide such aid or services. Contact the ADA Coordinator at 1-866-253-5827 (toll free) or 1-615-532-0200 (Nashville) for further information. Hearing impaired callers may use the Tennessee Relay Service (1-800-848-0298).

Substance of Proposed Rules

Amendments

Paragraph (1) of Rule 1040-2-2-.02 Drilling Permit of Rule Chapter 1040-2-2 Permits is amended by deleting it in its entirety and substituting the following so that, as amended, it shall read as follows:

- (1) Applications for a permit to drill a well for oil and gas shall be made on Application for Permit to Drill (Form P-AD-1) and submitted to the Supervisor's office for approval. The application shall be accompanied by two (2) copies of a location plat, bond, organization report, and a fee of five hundred dollars (\$500.00). The application shall give the name and address of the drilling contractor, if known; otherwise notification shall be made by letter to the Supervisor as soon as determined. The application shall also include a plan for erosion control, prevention of pollution of surface waters, and reclamation of all areas disturbed by the operations, including access roads. The plan shall conform to the requirements of Rule 1040-2-9-.05. The plan must be sufficiently detailed to allow a gas and oil field inspector to locate the site of the facilities to be constructed and estimate the expected environmental impact, but does not have to include detailed engineering design drawings. The Supervisor may require modifications in the operator's plan if such modifications are necessary to prevent pollution or to promote reclamation. Upon approval, the operator's plan shall be a condition of the permit. Failure to comply with the plan shall be grounds for revocation of the permit and forfeiture of the bond.

Authority: T.C.A. §§4-5-201 et seq., 60-1-202, 60-1-204 and 68-203-101 et seq.

Other Information

An initial set of draft rules has been prepared for public review and comment. Copies of these initial draft rules are available for review at the Tennessee Department of Environment and Conservation's (TDEC's) Environmental Field Offices located as follows:

Memphis Environmental Field Office
Suite E-645, Perimeter Park
2510 Mount Moriah Road
Memphis, TN 38115-1520
(901) 368-7939/1-888-891-8332

Cookeville Environmental Field Office
1221 South Willow Avenue
Cookeville, TN 38506
(931) 432-4015/ 1-888-891-8332

Jackson Environmental Field Office
1625 Hollywood Drive
Jackson, TN 38305
(731) 512-1300/1-888-891-8332

Chattanooga Environmental Field Office
Suite 550- State Office Building
540 McCallie Avenue
Chattanooga, TN 37402-2013
(423) 634-5745/1-888-891-8332

Columbia Environmental Field Office
2484 Park Plus Drive
Columbia, TN 38401
(931) 380-3371/ 1-888-891-8332

Knoxville Environmental Field Office
3711 Middlebrook Pike
Knoxville, TN 37921-5602
(865)594-6035/1-888-891-8332

Nashville Environmental Field Office
711 R. S. Gass Blvd.
Nashville, TN 37243-1550
(615) 687-7000/1-888-891-8332

Johnson City Environmental Field Office
2305 Silverdale Road
Johnson City, TN 37601-2162
(423) 854-5400/1-888-891-8332

Additional review copies are available at the following library locations:

McIver's Grant Public Library
204 North Mill Street
Dyersburg, TN 38024-4631
(731) 285-5032

W. G. Rhea Public Library
400 West Washington Street
Paris, TN 38242-0456
(731) 642-1702

Hardin County Library
1365 Pickwick Street
Savannah, TN 38372-1903
(731) 925-4314

Clarksville-Montgomery County Library
350 Pageant Lane, Suite 501
Clarksville, TN 37040-0005
(931) 648-8826

Coffee County-Manchester Public Library
1005 Hillsboro Highway
Manchester, TN 37355-2099
(931) 723-5143

Art Circle Public Library
154 East First Street
Crossville, TN 38555-4696
(931) 484-6790

E. G. Fisher Public Library
1289 Ingleside Ave.
Athens, TN 37371-1812
(423) 745-7782

Kingsport Public Library & Archives
400 Broad Street
Kingsport, TN 37660-4292
(423) 229-9489

Lawson McGhee Library
500 West Church Avenue
Knoxville, TN 37902-2505
(865) 215-8701

Nashville Public Library
615 Church Street
Nashville, TN 37219-2314
(615) 862-5800

Chattanooga-Hamilton Co. Bicentennial Library	Memphis/Shelby County Public Library-
1001 Broad Street	Main Library
Chattanooga, TN 37402-2652	3030 Poplar Avenue
(423) 757-5320	Memphis, TN 38111
	(901) 725-8853

The "DRAFT" rules may also be accessed for review using <http://state.tn.us/environment/wpc/ppo>.

Draft copies are also available for review at the Nashville Central Office (see address below).

Tennessee Department of Environment and Conservation
Division of Water Pollution Control
Oil and Gas Program
6th Floor, L & C Annex
401 Church Street
Nashville, TN 37243-1535
(615) 532-0166

Office hours for the Division's offices are from 8:00 AM to 4:30 PM, Monday through Friday (excluding holidays).

Oral or written comments are invited at the hearing. In addition, written comments may be submitted prior to or after the public hearing to: Division of Water Pollution Control; Oil and Gas Program; Tennessee Department of Environment and Conservation; Attention: Mr. Mike K. Burton; 6th Floor, L & C Annex; 401 Church Street; Nashville, Tennessee 37243-1535; telephone 615-532-0166 or FAX 615-532-0686. However, such written comments must be received by the Division by 4:30 PM CST, January 31, 2008 in order to assure consideration. For further information, contact Mr. Mike Burton at the above address or telephone number.

The notice of rulemaking set out herein was properly filed in the Department of State on the 21st day of November, 2007. (FS 11-14-07; DBID 781)